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11 January 1950

MEMORANDUM FOR THE RECORD

SUBJECT: Scientific Grades Above GS-15

1. As a result of our discussion on the case of Dr. Chadwell this morning, Mr. Saunders and I discussed the problem of grades above GS-15 for scientific and professional people not in the scientific foreign intelligence field. Our position was that Dr. Chadwell would be employed primarily for the administration and development of a R&D project in direct support of operations which were not strictly intelligence operations. We stated that Dr. Chadwell was a scientist and would be doing work of a technical and scientific nature, but he would not have any responsibility for collection, evaluation, or production of scientific intelligence and would not be in our Office of Scientific Intelligence.

2. Mr. Fisher felt that the limitations of Section 9 of Public Law 110, as interpreted by the Comptroller's decision of 15 November, did not contemplate a prohibition of employment of scientists and professional men at grades above GS-15 merely because they happened to be scientists or professionals. He believed that the law as presently written did prohibit the establishment of more than 3 grades above GS-15 in OSI as it would be difficult to establish that the scientist in that office was not in the field of scientific intelligence; but where the position was in an office not engaged primarily in intelligence activities and was not itself given intelligence responsibilities, he saw no reason for exception, provided that the job otherwise qualify for the assigned grade in accordance with the terms of the Classification Act of 1949.

3. Mr. Fisher did state that if it appeared we were establishing an excessive number of positions in the super grades, they might be called on to raise question, but that was not a question which could be very well settled in advance. In general, therefore,

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it seems safe to say that the present rule does not bar placing a scientific or professional man in one of the super grades merely because he is a scientist or a professional.

4. In connection with eliminating the present confusion arising out of the present Section 9 of P. L. 110, Mr. Fisher recognized that it might be somewhat inadvisable to have the provision rescinded this year, but suggested that an adequate solution might be to amend the wording of Section 9 so that instead of reading, "Provided, That the rates of compensation for positions established pursuant to the provisions of this section shall not be less than \$10,000 per annum nor more than \$15,000 per annum,\*\*\*", this clause would read, "\*\*\* shall not be less than \$14,000 per annum nor more than \$15,000 per annum,\*\*\*". This would raise the general ceiling for scientists and professionals in the field of foreign scientific intelligence to \$14,000 in accordance with our agreement with the Civil Service Commission on all grades in the Agency, and would still allow three positions between \$14,000 and \$15,000. This appears to be a useful suggestion which should be thoroughly explored.

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